

Whereas the U.S. Principles on the Internet's Domain Name and Addressing System, issued on June 30, 2005, represent an appropriate framework for the coordination of the system at the present time;

Whereas the Internet Corporation for Assigned Names and Numbers popularly known as ICANN, is the proper organization to coordinate the technical day-to-day operation of the Internet's domain name and addressing system;

Whereas all stakeholders from around the world, including governments, are encouraged to advise ICANN in its decision-making;

Whereas ICANN makes significant efforts to ensure that the views of governments and all Internet stakeholders are reflected in its activities;

Whereas governments have legitimate concerns with respect to the management of their country code top level domains;

Whereas the United States Government is committed to working successfully with the international community to address those concerns, bearing in mind the need for stability and security of the Internet's domain name and addressing system;

Whereas the topic of Internet governance, as currently being discussed in the United Nations World Summit on the Information Society is a broad and complex topic;

Whereas it is appropriate for governments and other stakeholders to discuss Internet governance, given that the Internet will likely be an increasingly important part of the world economy and society in the 21st Century;

Whereas Internet governance discussions in the World Summit should focus on the real threats to the Internet's growth and stability, and not recommend changes to the current regime of domain name and addressing system management and coordination on political grounds unrelated to any technical need; and

Whereas market-based policies and private sector leadership have allowed this medium the flexibility to innovate and evolve: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring),* That it is the sense of Congress that—

(1) it is incumbent upon the United States and other responsible governments to send clear signals to the marketplace that the current structure of oversight and management of the Internet's domain name and addressing service works, and will continue to deliver tangible benefits to Internet users worldwide in the future; and

(2) therefore the authoritative root zone server should remain physically located in the United States and the Secretary of Commerce should maintain oversight of ICANN so that ICANN can continue to manage the day-to-day operation of the Internet's domain name and addressing system well, remain responsive to all Internet stakeholders worldwide, and otherwise fulfill its core technical mission.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 2474. Mr. MARTINEZ (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table.

SA 2475. Mr. BROWNBACK (for himself, Mr. COBURN, Mr. DEMINT, Mr. INHOFE, Mr.

SESSIONS, and Mr. TALENT) submitted an amendment intended to be proposed by him to the bill S. 1042, supra; which was ordered to lie on the table.

SA 2476. Mr. DORGAN (for himself, Mr. DURBIN, Mrs. BOXER, and Mr. LAUTENBERG) proposed an amendment to the bill S. 1042, supra.

SA 2477. Mr. TALENT (for himself, Mr. WARNER, Mr. STEVENS, Mr. CHAMBLISS, Mr. CORNYN, Mr. LIEBERMAN, Mrs. BOXER, Mrs. FEINSTEIN, Ms. COLLINS, Mr. DEWINE, Mr. DODD, and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill S. 1042, supra.

SA 2478. Mr. LAUTENBERG proposed an amendment to the bill S. 1042, supra.

SA 2479. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 2445 submitted by Mr. BROWNBACK (for himself, Mr. INHOFE, and Mr. DEMINT) and intended to be proposed to the bill S. 1042, supra; which was ordered to lie on the table.

SA 2480. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 2475 submitted by Mr. BROWNBACK (for himself, Mr. COBURN, Mr. DEMINT, Mr. INHOFE, Mr. SESSIONS, and Mr. TALENT) and intended to be proposed to the bill S. 1042, supra; which was ordered to lie on the table.

SA 2481. Mr. SALAZAR (for himself, Mr. LAUTENBERG, Mr. REED, Mr. DURBIN, and Mr. KYL) submitted an amendment intended to be proposed by him to the bill S. 1042, supra; which was ordered to lie on the table.

SA 2482. Mr. DEWINE submitted an amendment intended to be proposed by him to the bill S. 1042, supra; which was ordered to lie on the table.

SA 2483. Mr. DURBIN (for Mr. BAYH (for himself, Mr. DURBIN, and Ms. LANDRIEU)) proposed an amendment to the bill S. 1042, supra.

SA 2484. Mr. WARNER (for Mr. SANTORUM) proposed an amendment to the bill S. 1042, supra.

SA 2485. Mr. WARNER (for Mr. AKAKA) proposed an amendment to the bill S. 1042, supra.

SA 2486. Mr. WARNER (for Mr. ENSIGN) proposed an amendment to the bill S. 1042, supra.

SA 2487. Mr. WARNER (for Mr. ENSIGN) proposed an amendment to the bill S. 1042, supra.

SA 2488. Mr. WARNER (for Mr. COLEMAN) proposed an amendment to the bill S. 1042, supra.

SA 2489. Mr. WARNER (for Mr. BINGAMAN (for himself and Mr. DOMENICI)) proposed an amendment to the bill S. 1042, supra.

SA 2490. Mr. WARNER (for Mr. SALAZAR) proposed an amendment to the bill S. 1042, supra.

SA 2491. Mr. WARNER proposed an amendment to the bill S. 1042, supra.

SA 2492. Mr. WARNER (for Mr. KENNEDY (for himself, Ms. COLLINS, Mr. ROBERTS, Mr. SANTORUM, Ms. MIKULSKI, Mr. LIEBERMAN, Mr. ALEXANDER, Mrs. CLINTON, Mrs. DOLE, Ms. SNOWE, Mr. BINGAMAN, Mr. REED, and Mr. SESSIONS)) proposed an amendment to the bill S. 1042, supra.

SA 2493. Mr. WARNER proposed an amendment to the bill S. 1042, supra.

SA 2494. Mr. WARNER (for Mr. BYRD) proposed an amendment to the bill S. 1042, supra.

SA 2495. Mr. WARNER (for Mr. DODD (for himself and Mr. KENNEDY)) submitted an amendment intended to be proposed by Mr. Warner to the bill S. 1042, supra.

SA 2496. Mr. WARNER (for Mr. SANTORUM) proposed an amendment to the bill S. 1042, supra.

SA 2497. Mr. WARNER (for Mr. KERRY) proposed an amendment to the bill S. 1042, supra.

SA 2498. Mr. WARNER (for Mr. LEVIN) proposed an amendment to the bill S. 1042, supra.

SA 2499. Mr. WARNER proposed an amendment to amendment SA 1396 proposed by Mr. WARNER (for Mr. STEVENS!) TO THE BILL S. 1042 SUPRA.

SA 2500. Mr. WARNER proposed an amendment to the bill S. 1042, supra.

SA 2501. Mr. WARNER (for Mr. NELSON, OF FLORIDA) proposed an amendment to the bill S. 1042, supra.

SA 2502. Mr. WARNER (for himself and Mr. LEVIN) proposed an amendment to the bill S. 1042, supra.

SA 2503. Mr. WARNER (for Mr. ALLARD (for himself and Mr. SALAZAR)) proposed an amendment to the bill S. 1042, supra.

SA 2504. Mr. WARNER (for Mr. ROBERTS) proposed an amendment to the bill S. 1042, supra.

SA 2505. Mr. WARNER (for Mr. INOUE) proposed an amendment to the bill S. 1042, supra.

SA 2506. Mr. WARNER (for Mrs. HUTCHISON (for herself, Mr. VOINOVICH, and Mr. NELSON, OF FLORIDA)) proposed an amendment to the bill S. 1042, supra.

#### TEXT OF AMENDMENTS

**SA 2474.** Mr. MARTINEZ (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title III, add the following:

#### **SEC. \_\_\_\_ . IMPROVEMENT OF AUTHORITIES ON GENERAL GIFT FUNDS OF THE DEPARTMENT OF DEFENSE.**

(a) RESTATEMENT AND EXPANSION OF CURRENT AUTHORITY.—Subsection (a) of section 2601 of title 10, United States Code, is amended to read as follows:

“(a)(1) Subject to subsection (b), the Secretary concerned may accept, hold, administer, and spend any gift, devise, or bequest of real or personal property made on the condition that it be used for the benefit, or in connection with, the establishment, operation, or maintenance of a school, hospital, library, museum, cemetery, or other institution or organization under the jurisdiction of such Secretary.

“(2)(A) Subject to subsection (b), the Secretary concerned may accept, hold, administer, and spend any gift, devise, or bequest of real or personal property made on the condition that it be used for the benefit of members of the armed forces or civilian employees of United States Government, or the dependents or survivors of such members or employees, who are wounded or killed while serving in Operation Iraqi Freedom, Operation Enduring Freedom, or any other military operation or activity, or geographic area, designated by the Secretary of Defense for purposes of this section.

“(B) The Secretary of Defense shall prescribe regulations specifying the conditions that may be attached to a gift, devise, or bequest accepted under this paragraph.

“(C) The authority to accept gifts, devises, or bequests under this paragraph shall expire on December 31, 2007.

“(3) The Secretary concerned may pay all necessary expenses in connection with the

conveyance or transfer of a gift, devise, or bequest made under this subsection.”.

(b) SCOPE OF AUTHORITY TO USE ACCEPTED PROPERTY.—Such section is further amended—

(1) by redesignating subsections (b), (c) and (d) as subsections (c), (d), and (e), respectively; and

(2) by inserting after subsection (a) the following new subsection (b):

“(b)(1) Except as provided in paragraph (2), property accepted under subsection (a) may be used by the Secretary concerned without further specific authorization in law.

“(2) Property accepted under subsection (a) may not be used—

“(A) if the use of such property in connection with any program, project, or activity would result in the violation of any prohibition or limitation otherwise applicable to such program, project, or activity;

“(B) if the conditions attached to such property are inconsistent with applicable law or regulations;

“(C) if the use of such property would reflect unfavorably on ability of the Department of Defense, any employee of the Department, or any member of the armed forces to carry out any responsibility or duty of the Department in a fair and objective manner; or

“(D) if the use of such property would compromise the integrity or appearance of integrity of any program of the Department of Defense, or any individual involved in such a program.”.

(c) CONFORMING AMENDMENT.—Subsection (c) of such section, as redesignated by subsection (b)(1) of this section, is further amended in the flush matter following paragraph (4) by striking “benefit or use of the designated institution or organization” and inserting “purposes specified in subsection (a)”.

(d) GAO AUDITS.—Such section is further amended by adding at the end the following new subsection:

“(f) The Comptroller General of the United States shall make periodic audits of real or personal property accepted under subsection (a) at such intervals as the Comptroller General determines to be warranted. The Comptroller General shall submit to Congress a report on the results of each such audit.”.

**SA 2475.** Mr. BROWNBACK (for himself, Mr. COBURN, Mr. DEMINT, Mr. INHOFE, Mr. SESSIONS, and Mr. TALENT) submitted an amendment intended to be proposed by him to the bill S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ PROTECTION OF CHILDREN AND PARENTAL INVOLVEMENT IN THE PERFORMANCE OF ABORTIONS FOR DEPENDENT CHILDREN OF MEMBERS OF THE ARMED FORCES.**

Section 1093 of title 10, United States Code, is amended by adding at the end the following new subsections:

“(c) PARENTAL NOTICE.—(1) A physician may not use facilities of the Department of Defense to perform an abortion on a pregnant unemancipated minor who is a child of a member of the armed forces unless—

“(A) the physician gives at least 48 hours actual notice, in person or by telephone, of

the physician's intent to perform the abortion to—

“(i) the member of the armed forces, or another parent of the minor, if the minor has no managing conservator or guardian; or

“(ii) a court-appointed managing conservator or guardian;

“(B) the judge of an appropriate district court of the United States issues an order authorizing the minor to consent to the abortion as provided by subsection (d) or (e);

“(C) the appropriate district court of the United States by its inaction constructively authorizes the minor to consent to the abortion as provided by subsection (d) or (e); or

“(D) the physician performing the abortion—

“(i) concludes that on the basis of the physician's good faith clinical judgment, a condition exists that complicates the medical condition of the minor and necessitates the immediate abortion of her pregnancy to avert her death or to avoid a serious risk of substantial and irreversible impairment of a major bodily function; and

“(ii) certifies in writing to the appropriate medical official of the Department of Defense, and in the patient's medical record, the medical indications supporting the physician's judgment that the circumstances described by clause (i) exist.

“(2) If a person to whom notice may be given under paragraph (1)(A) cannot be notified after a reasonable effort, a physician may perform an abortion if the physician gives 48 hours constructive notice, by certified mail, restricted delivery, sent to the last known address, to the person to whom notice may be given under that paragraph. The period under this paragraph begins when the notice is mailed. If the person required to be notified is not notified within the 48-hour period, the abortion may proceed even if the notice by mail is not received.

“(3) The requirement that 48 hours actual notice be provided under this subsection may be waived by an affidavit of—

“(A) the member of the armed forces concerned, or another parent of the minor, if the minor has no managing conservator or guardian; or

“(B) a court-appointed managing conservator or guardian.

“(4) A physician may execute for inclusion in the minor's medical record an affidavit stating that, according to the best information and belief of the physician, notice or constructive notice has been provided as required by this subsection. Execution of an affidavit under this paragraph creates a presumption that the requirements of this subsection have been satisfied.

“(5) A certification required by paragraph (1)(D) is confidential and privileged and is not subject to disclosure, discovery, subpoena, or other legal process. Personal or identifying information about the minor, including her name, address, or social security number, may not be included in a certification under paragraph (1)(D). The physician must keep the medical records on the minor in compliance with regulations prescribed by the Secretary of Defense.

“(6) A physician who intentionally performs an abortion on a pregnant unemancipated minor in violation of this subsection commits an offense punishable by a fine not to exceed \$10,000.

“(7) It is a defense to prosecution under this subsection that the minor falsely represented her age or identity to the physician to be at least 18 years of age by displaying an apparently valid governmental record of identification such that a reasonable person under similar circumstances would have relied on the representation. The defense does not apply if the physician is shown to have had independent knowledge of the minor's

actual age or identity or failed to use due diligence in determining the minor's age or identity.

“(d) JUDICIAL APPROVAL.—(1) A pregnant unemancipated minor who is a child of a member of the armed forces and who wishes to have an abortion using facilities of the Department of Defense without notification to the member of the armed forces, another parent, her managing conservator, or her guardian may file an application for a court order authorizing the minor to consent to the performance of an abortion without notification to either of her parents or a managing conservator or guardian.

“(2) Any application under this subsection may be filed in any appropriate district court of the United States. In the case of a minor who elects not to travel to the United States in pursuit of an order authorizing the abortion, the court may conduct the proceedings in the case of such application by telephone.

“(3) An application under this subsection shall be made under oath and include—

“(A) a statement that the minor is pregnant;

“(B) a statement that the minor is unmarried, is under 18 years of age, and has not had her disabilities removed;

“(C) a statement that the minor wishes to have an abortion without the notification of either of her parents or a managing conservator or guardian; and

“(D) a statement as to whether the minor has retained an attorney and, if she has retained an attorney, the name, address, and telephone number of her attorney.

“(4) The court shall appoint a guardian ad litem for the minor. If the minor has not retained an attorney, the court shall appoint an attorney to represent the minor. If the guardian ad litem is an attorney, the court may appoint the guardian ad litem to serve as the minor's attorney.

“(5) The court may appoint to serve as guardian ad litem for a minor—

“(A) a psychiatrist or an individual licensed or certified as a psychologist;

“(B) a member of the clergy;

“(C) a grandparent or an adult brother, sister, aunt, or uncle of the minor; or

“(D) another appropriate person selected by the court.

“(6) The court shall determine within 48 hours after the application is filed whether the minor is mature and sufficiently well-informed to make the decision to have an abortion performed without notification to either of her parents or a managing conservator or guardian, whether notification would not be in the best interest of the minor, or whether notification may lead to physical, sexual, or emotional abuse of the minor. If the court finds that the minor is mature and sufficiently well informed, that notification would not be in the minor's best interest, or that notification may lead to physical, sexual, or emotional abuse of the minor, the court shall enter an order authorizing the minor to consent to the performance of the abortion without notification to either of her parents or a managing conservator or guardian and shall execute the required forms.

“(7) If the court fails to rule on the application within the period specified in paragraph (6), the application shall be deemed to be granted and the physician may perform the abortion as if the court had issued an order authorizing the minor to consent to the performance of the abortion without notification under subsection (c).

“(8) If the court finds that the minor does not meet the requirements of paragraph (6), the court may not authorize the minor to consent to an abortion without the notification authorized under subsection (c)(1).

“(9) The court may not notify a parent, managing conservator, or guardian that the minor is pregnant or that the minor wants to have an abortion. The court proceedings shall be conducted in a manner that protects the anonymity of the minor. The application and all other court documents pertaining to the proceedings are confidential and privileged and are not subject to disclosure, discovery, subpoena, or other legal process. The minor may file the application using a pseudonym or using only her initials.

“(10) An order of the court issued under this subsection is confidential and privileged and is not subject to disclosure, discovery, subpoena, or other legal process. The order may not be released to any person but the pregnant minor, the pregnant minor’s guardian ad litem, the pregnant minor’s attorney, another person designated to receive the order by the minor, or a governmental agency or attorney in a criminal or administrative action seeking to assert or protect the interest of the minor.

“(11) A filing fee is not required of and court costs may not be assessed against a minor filing an application under this subsection.

“(e) **APPEAL.**—(1) A minor whose application under subsection (d) is denied may appeal to the court of appeals of the United States having jurisdiction of the district court of the United States that denied the application. If the court of appeals fails to rule on the appeal within 48 hours after the appeal is filed, the appeal shall be deemed to be granted and the physician may perform the abortion using facilities of the Department of Defense as if the court had issued an order authorizing the minor to consent to the performance of the abortion using facilities of the Department of Defense without notification under subsection (c). Proceedings under this subsection shall be given precedence over other pending matters to the extent necessary to assure that the court reaches a decision promptly.

“(2) A ruling of the court of appeals under this subsection is confidential and privileged and is not subject to disclosure, discovery, subpoena, or other legal process. The ruling may not be released to any person but the pregnant minor, the pregnant minor’s guardian ad litem, the pregnant minor’s attorney, another person designated to receive the ruling by the minor, or a governmental agency or attorney in a criminal or administrative action seeking to assert or protect the interest of the minor.

“(3) A filing fee is not required of and court costs may not be assessed against a minor filing an appeal under this subsection.

“(f) **RULE OF CONSTRUCTION.**—Nothing in subsections (c), (d), or (e) shall be construed to create any exemption to the restrictions contained in subsections (a) and (b).

“(g) **DEFINITIONS.**—In this section:

“(1) The term ‘abortion’ means the use of any means at a medical facility of the Department of Defense to terminate the pregnancy of a female known by an attending physician to be pregnant, with the intention that the termination of the pregnancy by those means will with reasonable likelihood cause the death of the fetus. The term applies only to an unemancipated minor known by an attending physician to be pregnant and may not be construed to limit a minor’s access to contraceptives.

“(2) The term ‘appropriate district court of the United States’ means—

“(A) with respect to a proposed abortion at a particular Department of Defense medical facility in the United States or its territories, the district court of the United States having proper venue in relation to that facility; or

“(B) if the minor is seeking an abortion at a particular Department of Defense facility outside the United States or its territories—

“(i) if the minor elects to travel to the United States in pursuit of an order authorizing the abortion, the district court of the United States having proper venue in the district in which the minor first arrives from outside the United States; or

“(ii) if the minor elects not to travel to the United States in pursuit of an order authorizing the abortion, the district court of the United States for the district in which the minor last resided.

“(3) The term ‘fetus’ means an individual human organism from fertilization until birth.

“(4) The term ‘guardian’ means a court-appointed guardian of the person of the minor.

“(5) The term ‘physician’ means an individual licensed to practice medicine.

“(6) The term ‘unemancipated minor’ includes a minor who is not a member of the armed forces and who—

“(A) is unmarried; and

“(B) has not had any disabilities of minority removed.”.

**SA 2476.** Mr. DORGAN (for himself, Mr. DURBIN, Mrs. BOXER, and Mr. LAUTENBERG) proposed an amendment to the bill S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the appropriate place, insert the following:

**TITLE—SPECIAL COMMITTEE OF SENATE ON WAR AND RECONSTRUCTION CONTRACTING**

#### **SEC. 01. FINDINGS.**

Congress makes the following findings:

(1) The wars in Iraq and Afghanistan have exerted very large demands on the Treasury of the United States and required tremendous sacrifice by the members of the Armed Forces of the United States.

(2) Congress has a constitutional responsibility to ensure comprehensive oversight of the expenditure of United States Government funds.

(3) Waste and corporate abuse of United States Government resources are particularly unacceptable and reprehensible during times of war.

(4) The magnitude of the funds involved in the reconstruction of Afghanistan and Iraq and the war on terrorism, together with the speed with which these funds have been committed, presents a challenge to the effective performance of the traditional oversight function of Congress and the auditing functions of the executive branch.

(5) The Senate Special Committee to Investigate the National Defense Program, popularly known as the Truman Committee, which was established during World War II, offers a constructive precedent for bipartisan oversight of wartime contracting that can also be extended to wartime and postwar reconstruction activities.

(6) The Truman Committee is credited with an extremely successful investigative effort, performance of a significant public education role, and achievement of fiscal savings measured in the billions of dollar.

(7) The public has a right to expect that taxpayer resources will be carefully disbursed and honestly spent.

#### **SEC. 02. SPECIAL COMMITTEE ON WAR AND RECONSTRUCTION CONTRACTING.**

There is established a special committee of the Senate to be known as the Special Committee on War and Reconstruction Contracting hereafter in this title referred to as the “Special Committee”.

#### **SEC. 03. PURPOSE AND DUTIES.**

(a) **PURPOSE.**—The purpose of the Special Committee is to investigate the awarding and performance of contracts military, security, and reconstruction activities in Afghanistan and Iraq and to support the prosecution of the war on terrorism.

(b) **DUTIES.**—The Special Committee shall examine the contracting actions described in subsection (a) and report on such actions, in accordance with this section, regarding—

(1) bidding, contracting, accounting, and auditing standards for Federal Government contracts;

(2) methods of contracting, including sole-source contracts and limited competition or non-competitive contracts;

(3) subcontracting under large, comprehensive contracts;

(4) oversight procedures;

(5) consequences of cost-plus and fixed price contracting;

(6) allegations of wasteful and fraudulent practices;

(7) accountability of contractors and Government officials involved in procurement and contracting;

(8) penalties for violations of law and abuses in the awarding and performance of Government contracts; and

(9) lessons learned from the contracting process used in Iraq and Afghanistan and in connection with the war on terrorism with respect to the structure, coordination, management policies, and procedures of the Federal Government.

(c) **INVESTIGATION OF WASTEFUL AND FRAUDULENT PRACTICES.**—The investigation by the Special Committee of allegations of wasteful and fraudulent practices under subsection (b)(6) shall include investigation of allegations regarding any contract or spending entered into, supervised by, or otherwise involving the Coalition Provisional Authority, regardless of whether or not such contract or spending involved appropriated funds of the United States.

(d) **EVIDENCE CONSIDERED.**—In carrying out its duties, the Special Committee shall ascertain and evaluate the evidence developed by all relevant governmental agencies regarding the facts and circumstances relevant to contracts described in subsection (a) and any contract or spending covered by subsection (c).

#### **SEC. 04. COMPOSITION OF SPECIAL COMMITTEE.**

(a) **MEMBERSHIP.**—

(1) **IN GENERAL.**—The Special Committee shall consist of 7 members of the Senate of whom—

(A) 4 members shall be appointed by the President pro tempore of the Senate, in consultation with the majority leader of the Senate; and

(B) 3 members shall be appointed by the minority leader of the Senate.

(2) **DATE.**—The appointments of the members of the Special Committee shall be made not later than 90 days after the date of the enactment of this Act.

(b) **VACANCIES.**—Any vacancy in the Special Committee shall not affect its powers, but shall be filled in the same manner as the original appointment.

(c) **SERVICE.**—Service of a Senator as a member, chairman, or ranking member of the Special Committee shall not be taken into account for the purposes of paragraph (4) of rule XXV of the Standing Rules of the Senate.

(d) CHAIRMAN AND RANKING MEMBER.—The chairman of the Special Committee shall be designated by the majority leader of the Senate, and the ranking member of the Special Committee shall be designated by the minority leader of the Senate.

(e) QUORUM.—

(1) REPORTS AND RECOMMENDATIONS.—A majority of the members of the Special Committee shall constitute a quorum for the purpose of reporting a matter or recommendation to the Senate.

(2) TESTIMONY.—One member of the Special Committee shall constitute a quorum for the purpose of taking testimony.

(3) OTHER BUSINESS.—A majority of the members of the Special Committee, or 1/3 of the members of the Special Committee if at least one member of the minority party is present, shall constitute a quorum for the purpose of conducting any other business of the Special Committee.

#### SEC. 05. RULES AND PROCEDURES.

(a) GOVERNANCE UNDER STANDING RULES OF SENATE.—Except as otherwise specifically provided in this resolution, the investigation, study, and hearings conducted by the Special Committee shall be governed by the Standing Rules of the Senate.

(b) ADDITIONAL RULES AND PROCEDURES.—The Special Committee may adopt additional rules or procedures of the chairman and ranking member agree that such additional rules or procedures are necessary to enable the Special Committee to conduct the investigation, study, and hearings authorized by this resolution. Any such additional rules and procedures—

(1) shall not be inconsistent with this resolution or the Standing Rules of the Senate; and

(2) shall become effective upon publication in the Congressional Record.

#### SEC. 06. AUTHORITY OF SPECIAL COMMITTEE.

(a) IN GENERAL.—The Special Committee may exercise all of the powers and responsibilities of a committee under rule XXVI of the Standing Rules of the Senate.

(b) HEARINGS.—The Special Committee or, at its direction, any subcommittee or member of the Special Committee, may, for the purpose of carrying out this resolution—

(1) hold such hearings, sit and act at such times and places, take such testimony, receive such evidence, and administer such oaths as the Special Committee or such subcommittee or member considers advisable; and

(2) require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, documents, tapes, and materials as the Special Committee considers advisable.

(c) ISSUANCE AND ENFORCEMENT OF SUBPOENAS.—

(1) ISSUANCE.—Subpoenas issued under subsection (b) shall bear the signature of the Chairman of the Special Committee and shall be served by any person or class of persons designated by the Chairman for that purpose.

(2) ENFORCEMENT.—In the case of contumacy or failure to obey a subpoena issued under subsection (a), the United States district court for the judicial district in which the subpoenaed person resides, is served, or may be found may issue an order requiring such person to appear at any designated place to testify or to produce documentary or other evidence. Any failure to obey the order of the court may be punished by the court as a contempt of that court.

(d) MEETINGS.—The Special Committee may sit and act at any time or place during sessions, recesses, and adjournment periods of the Senate.

#### SEC. 07. REPORTS.

(a) INITIAL REPORT.—The Special Committee shall submit to the Senate a report on the investigation conducted pursuant to section 03 not later than 270 days after the appointment of the Special Committee members.

(b) UPDATED REPORT.—The Special Committee shall submit an updated report on such investigation not later than 180 days after the submission of the report under subsection (a).

(c) ADDITIONAL REPORTS.—The Special Committee may submit any additional report or reports that the Special Committee considers appropriate.

(d) FINDINGS AND RECOMMENDATIONS.—The reports under this section shall include findings and recommendations of the Special Committee regarding the matters considered under section 03.

(e) DISPOSITION OF REPORTS.—Any report made by the Special Committee when the Senate is not in session shall be submitted to the Clerk of the Senate. Any report made by the Special Committee shall be referred to the committee or committees that have jurisdiction over the subject matter of the report.

#### SEC. 08. ADMINISTRATIVE PROVISIONS.

(A) STAFF.—

(1)(1) IN GENERAL.—The Special Committee may employ in accordance with paragraph (2) a staff composed of such clerical, investigatory, legal, technical, and other personnel as the Special Committee, or the chairman or the ranking member, considers necessary or appropriate.

(2) APPOINTMENT OF STAFF.—

(A) IN GENERAL.—The Special Committee shall appoint a staff for the majority, a staff for the minority, and a nondesignated staff.

(B) MAJORITY STAFF.—The minority staff shall be appointed, and may be removed, by the chairman and shall work under the general supervision and direction of the chairman.

(C) MINORITY STAFF.—The minority staff shall be appointed, and may be removed, by the ranking member of the Special Committee, and shall work under the general supervision and direction of such member.

(D) NONDESIGNATED STAFF.—Nondesignated staff shall be appointed, and may be removed, jointly by the chairman and the ranking member, and shall work under the joint general supervision and direction of the chairman and ranking member.

(b) COMPENSATION.

(1) MAJORITY STAFF.—The chairman shall fix the compensation of all personnel of the majority staff of the Special Committee.

(2) MINORITY STAFF.—The ranking member shall fix the compensation of all personnel of the minority staff of the Special Committee.

(3) NONDESIGNATED STAFF.—The chairman and ranking member shall jointly fix the compensation of all nondesignated staff of the Special Committee, within the budget approved for such purposes for the Special Committee.

(c) REIMBURSEMENT OF EXPENSES.—The Special Committee may reimburse the members of its staff for travel, subsistence, and other necessary expenses incurred by such staff members in the performance of their functions for the Special Committee.

(d) PAYMENT OF EXPENSES.—There shall be paid out of the applicable accounts of the Senate such sums as may be necessary for the expenses of the Special Committee. Such payments shall be made on vouchers signed by the chairman of the Special Committee and approved in the manner directed by the Committee on Rules and Administration of the Senate. Amounts made available under this subsection shall be expended in accord-

ance with regulations prescribed by the Committee on Rules and Administration of the Senate.

#### SEC. 09. TERMINATION.

The Special Committee shall terminate on February 28, 2007.

#### SEC. 10. SENSE OF SENATE ON CERTAIN CLAIMS REGARDING THE COALITION PROVISIONAL AUTHORITY.

It is the sense of the Senate that any claim of fraud, waste, or abuse under the False Claims Act that involves any contract or spending by the Coalition Provisional Authority should be considered a claim against the United States Government.

**SA 2477.** Mr. TALENT (for himself, Mr. WARNER, Mr. STEVENS, Mr. CHAMBLISS, Mr. CORNYN, Mr. LIEBERMAN, Mrs. BOXER, Mrs. FEINSTEIN, Ms. COLLINS, Mr. DEWINE, Mr. DODD, and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

Strike section 131 and insert the following:  
**SEC. 131. C-17 AIRCRAFT PROGRAM AND INTER-THEATER AIRLIFT REQUIREMENTS.**

(a) MULTIYEAR PROCUREMENT AUTHORIZED.—The Secretary of the Air Force may, in accordance with section 2306b of title 10, United States Code, enter into a multiyear contract, beginning with the fiscal year 2006 program year, for the procurement of up to 42 additional C-17 aircraft.

(b) CERTIFICATION REQUIRED.—Before the exercise of the authority in subsection (a), the Secretary of Defense shall submit to the congressional defense committees a certification that the additional airlift capacity to be provided by the C-17 aircraft to be procured under the authority is consistent with the quadrennial defense review under section 118 of title 10, United States Code, to be submitted to Congress with the budget of the President for fiscal year 2007 (as submitted under section 1105(a) of title 31, United States Code), as qualified by subsection (c).

(c) ADDITIONAL EXPLANATION OF INTER-THEATER AIRLIFT REQUIREMENTS.—

(1) INCLUSION IN QUADRENNIAL DEFENSE REVIEW.—The Secretary of Defense shall, as part of the quadrennial defense review in 2005 and in accordance with the provisions of section 118(d)(9) of title 10, United States Code, carry out an assessment of the inter-theater airlift capabilities required to support the national defense strategy.

(2) ADDITIONAL INFORMATION.—In including the assessment required by paragraph (1) in the quadrennial defense review as required by that paragraph, the Secretary shall explain how the recommendations for future airlift force structure requirements in that quadrennial defense review take into account the following:

(A) The increased airlift demands associated with the Army modular brigade combat teams.

(B) The objective to deliver a brigade combat team anywhere in the world within four to seven days, a division within 10 days, and multiple divisions within 20 days.

(C) The increased airlift demands associated with the expanded scope of operational activities of the Special Operations forces.

(D) The realignment of the overseas basing structure in accordance with the Integrated Presence and Basing Strategy.

(E) Adjustments in the force structure to meet homeland defense requirements.

(F) The potential for simultaneous homeland defense activities and major combat operations.

(G) Potential changes in requirements for intra-theater airlift or sealift capabilities.

(d) MAINTENANCE OF C-17 AIRCRAFT PRODUCTION LINE.—In the event the Secretary of Defense is unable to make the certification specified in subsection (b), the Secretary of the Air Force should procure sufficient C-17 aircraft to maintain the C-17 aircraft production line at not less than the minimum sustaining rate until sufficient flight test data regarding improved C-5 aircraft mission capability rates as a result of the Reliability Enhancement and Re-engining Program and Avionics Modernization Program have been obtained to determine the validity of assumptions concerning the C-5 aircraft used in the Mobility Capabilities Study.

**SA 2478.** Mr. LAUTENBERG proposed an amendment to the bill S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

On page 286, strike lines 1 through 3, and insert the following:

**SEC. 1072. IMPROVEMENTS OF INTERNAL SECURITY ACT OF 1950.**

(a) PROHIBITION ON HOLDING OF SECURITY CLEARANCE AFTER CERTAIN VIOLATIONS ON HANDLING OF CLASSIFIED INFORMATION.—

(1) PROHIBITION.—Section 4 of the Internal Security Act of 1950 (50 U.S.C. 783) is amended by adding at the end the following new subsection:

“(f) No person who knowingly violates a law or regulation regarding the handling of classified information in a manner that could have a significant adverse impact on the national security of the United States, including the knowing disclosure of the identity of a covert agent of the Central Intelligence Agency to a person not authorized to receive such information, shall be permitted to hold a security clearance for access to classified information.”.

(2) APPLICABILITY.—Subsection (f) of section 4 of the Internal Security Act of 1950, as added by paragraph (1), shall apply to any individual holding a security clearance on or after the date of the enactment of this Act with respect to any knowing violation of law or regulation described in such subsection, regardless of whether such violation occurs before, on, or after that date.

(b) CLARIFICATION OF AUTHORITY TO ISSUE SECURITY REGULATIONS AND ORDERS.—

**SA 2479.** Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 2445 submitted by Mr. BROWNBACK (for himself, Mr. INHOFE, and Mr. DEMINT) and intended to be proposed to the bill S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

On page 3 of the amendment, strike lines 3 through 17, and insert the following:

“(D) it is necessary to preserve the life or health of the minor.”.

**SA 2480.** Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 2475 submitted by Mr. BROWNBACK (for himself, Mr. COBURN, Mr. DEMINT, Mr. INHOFE, Mr. SESSIONS, and Mr. TALENT) and intended to be proposed to the bill S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

On page 3 of the amendment, strike lines 3 through 17, and insert the following:

“(D) it is necessary to preserve the life or health of the minor.”.

**SA 2481.** Mr. SALAZAR (for himself, Mr. LAUTENBERG, Mr. REED, Mr. DURBIN, and Mr. KYL) submitted an amendment intended to be proposed by him to the bill S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

On page 286, between lines 7 and 8, insert the following:

**SEC. 1073. SENSE OF SENATE ON COMMON REMOTELY OPERATED WEAPONS STATION (CROWS) PLATFORM.**

(a) FINDINGS.—The Senate makes the following findings:

(1) With only a few systems deployed, the Common Remotely Operated Weapons Station (CROWS) platform is already saving the lives of soldiers today in Iraq by moving soldiers out of the exposed gunner's seat and into the protective shell of an up-armored Humvee.

(2) The Common Remotely Operated Weapons Station platform dramatically improves battlefield awareness by providing a laser rangefinder, night vision, telescopic vision, a fire control computer that allows on-the-move target acquisition, and one-shot one-kill accuracy at the maximum range of a weapon.

(3) As they become available, new technologies can be incorporated into the Common Remotely Operated Weapons Station platform, thus making the platform scalable.

(4) The Army has indicated that an additional \$206,000,000 will be required in fiscal year 2006 to procure 750 Common Remotely Operated Weapons Station units for the Armed Forces, and to prepare for future production of such weapons stations.

(b) SENSE OF SENATE.—It is the sense of the Senate that the President should include in the next request submitted to Congress for supplemental funding for military operations in Iraq and Afghanistan sufficient funds for the production in fiscal year 2006 of a number of Common Remotely Operated Weapons Station units that is adequate to meet the requirements of the Armed Forces.

**SA 2482.** Mr. DEWINE submitted an amendment intended to be proposed by him to the bill S. 1042, to authorize ap-

propriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VII, add the following:

**SEC. 718. STUDY AND REPORTS ON CIVILIAN AND MILITARY PARTNERSHIP PROJECT.**

(a) STUDY.—The Secretary of the Air Force shall conduct a study on the progress and success of the implementation of the military and civilian partnership project.

(b) REPORTS.—

(1) INTERIM REPORT.—Not later than March 1, 2006, the Secretary of the Air Force shall submit to the appropriate congressional committees an interim report on the implementation of the military and civilian partnership project. The interim report shall specifically describe any issues that require action by Congress in order to fully implement such project.

(2) FINAL REPORT.—Not later than December 31, 2006, the Secretary of the Air Force shall submit to the appropriate congressional committees a final report on the study required by subsection (a), including an assessment of the progress and success of the implementation of the military and civilian partnership project.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives.

(2) MILITARY AND CIVILIAN PARTNERSHIP PROJECT.—The term “military and civilian partnership project” means the military and civilian partnership project described in the Centennial Memorandum of Agreement of December 17, 2003, and carried out at the Wright-Patterson Air Force Base.

**SA 2483.** Mr. DURBIN (for Mr. BAYH (for himself, Mr. DURBIN, and Ms. LANDRIEU)) proposed an amendment to the bill S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of subtitle A of title VI, add the following:

**SEC. \_\_\_\_ . INCOME REPLACEMENT PAYMENTS FOR RESERVES EXPERIENCING EXTENDED AND FREQUENT MOBILIZATION FOR ACTIVE DUTY SERVICE.**

(a) IN GENERAL.—Chapter 19 of title 37, United States Code, is amended by adding at the end the following new section:

**“§ 910. Replacement of lost income: involuntarily mobilized reserve component members subject to extended and frequent active duty service**

“(a) PAYMENT REQUIRED.—The Secretary concerned shall pay to an eligible member of a reserve component of the armed forces an amount equal to the monthly active-duty income differential of the member, as determined by the Secretary. The payments shall be made on a monthly basis.

“(b) ELIGIBILITY.—Subject to subsection (c), a reserve component member is entitled

to a payment under this section for any full month of active duty of the member, while on active duty under an involuntary mobilization order, following the date on which the member—

“(1) completes 180 continuous days of service on active duty under such an order;

“(2) completes 24 months on active duty during the previous 60 months under such an order; or

“(3) is involuntarily mobilized for service on active duty six months or less following the member's separation from the member's previous period of active duty.

“(c) MINIMUM AND MAXIMUM PAYMENT AMOUNTS.—(1) A payment under this section shall be made to a member for a month only if the amount of the monthly active-duty income differential for the month is greater than \$50.

“(2) Notwithstanding the amount determined under subsection (d) for a member for a month, the monthly payment to a member under this section may not exceed \$3,000.

“(d) MONTHLY ACTIVE-DUTY INCOME DIFFERENTIAL.—For purposes of this section, the monthly active-duty income differential of a member is the difference between—

“(1) the average monthly civilian income of the member; and

“(2) the member's total monthly military compensation.

“(e) DEFINITIONS.—In this section:

“(1) The term ‘average monthly civilian income’, with respect to a member of a reserve component, means the amount, determined by the Secretary concerned, of the earned income of the member for either the 12 months preceding the member's mobilization or the 12 months covered by the member's most recent Federal income tax filing, divided by 12.

“(2) The term ‘total monthly military compensation’ means the amount, computed on a monthly basis, of the sum of—

“(A) the amount of the regular military compensation (RMC) of the member; and

“(B) any amount of special pay or incentive pay and any allowance (other than an allowance included in regular military compensation) that is paid to the member on a monthly basis.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“910. Replacement of lost income: involuntarily mobilized reserve component members subject to extended and frequent active duty service.”.

(c) EFFECTIVE DATE.—Section 910 of title 37, United States Code, as added by subsection (a), shall apply for months after December 2005.

(d) LIMITATION ON FISCAL YEAR 2006 OBLIGATIONS.—During fiscal year 2006, obligations incurred under section 910 of title 37, United States Code, to provide income replacement payments to involuntarily mobilized members of a reserve component who are subject to extended and frequent active duty service may not exceed \$60,000,000.

**SA 2484.** Mr. WARNER (for Mr. SANTORUM) proposed an amendment to the bill S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of subtitle B of title II, add the following:

#### **SEC. 213. WARHEAD/GRENADE SCIENTIFIC BASED MANUFACTURING TECHNOLOGY.**

(a) ADDITIONAL AMOUNT FOR RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR THE ARMY.—The amount authorized to be appropriated by section 201(1) for research, development, test, and evaluation for the Army is hereby increased by \$1,000,000.

(b) AVAILABILITY OF AMOUNT.—Of the amount authorized to be appropriated by section 201(1) for research, development, test, and evaluation for the Army, as increased by subsection (a), \$1,000,000 may be available for Weapons and Ammunition Technology (PE#602624A) for Warhead/Grenade Scientific Based Manufacturing Technology.

(c) OFFSET.—The amount authorized to be appropriated by section 301(4) for operation and maintenance, Air Force activities is hereby reduced by \$1,000,000.

**SA 2485.** Mr. WARNER (for Mr. AKAKA) proposed an amendment to the bill S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

On page 286, between lines 7 and 8, insert the following:

#### **SEC. 1073. ESTABLISHMENT OF NATIONAL FOREIGN LANGUAGE COORDINATION COUNCIL.**

(a) ESTABLISHMENT.—There is established the National Foreign Language Coordination Council (in this section referred to as the “Council”), which shall be an independent establishment as defined under section 104 of title 5, United States Code.

(b) MEMBERSHIP.—The Council shall consist of the following members or their designees:

- (1) The National Language Director, who shall serve as the chairperson of the Council.
- (2) The Secretary of Education.
- (3) The Secretary of Defense.
- (4) The Secretary of State.
- (5) The Secretary of Homeland Security.
- (6) The Attorney General.
- (7) The Director of National Intelligence.
- (8) The Secretary of Labor.
- (9) The Director of the Office of Personnel Management.
- (10) The Director of the Office of Management and Budget.
- (11) The Secretary of Commerce.
- (12) The Secretary of Health and Human Services.
- (13) The Secretary of the Treasury.
- (14) The Secretary of Housing and Urban Development.
- (15) The Secretary of Agriculture.
- (16) The heads of such other Federal agencies as the Council considers appropriate.

(c) RESPONSIBILITIES.—

(1) IN GENERAL.—The Council shall be charged with—

- (A) developing a national foreign language strategy, within 18 months of the date of enactment of this section, in consultation with—
  - (i) State and local government agencies;
  - (ii) academic sector institutions;
  - (iii) foreign language related interest groups;
  - (iv) business associations;
  - (v) industry; and
  - (vi) heritage associations;
- (B) conducting a survey of Federal agency needs for foreign language area expertise; and
- (C) overseeing the implementation of such strategy through—
  - (i) execution of subsequent law; and

(2) IN GENERAL.—The Council shall be charged with—

(A) developing a national foreign language strategy, within 18 months of the date of enactment of this section, in consultation with—

- (i) State and local government agencies;
- (ii) academic sector institutions;
- (iii) foreign language related interest groups;
- (iv) business associations;
- (v) industry; and
- (vi) heritage associations;

(B) conducting a survey of Federal agency needs for foreign language area expertise; and

(C) overseeing the implementation of such strategy through—

- (i) execution of subsequent law; and

(ii) the promulgation and enforcement of rules and regulations.

(2) STRATEGY CONTENT.—The strategy developed under paragraph (1) shall include—

(A) identification of crucial priorities across all sectors;

(B) identification and evaluation of Federal foreign language programs and activities, including—

- (i) recommendations on coordination;
- (ii) program enhancements; and
- (iii) allocation of resources so as to maximize use of resources;

(C) needed national policies and corresponding legislative and regulatory actions in support of, and allocation of designated resources to, promising programs and initiatives at all levels (Federal, State, and local), especially in the less commonly taught languages that are seen as critical for national security and global competitiveness in the next 20 to 50 years;

(D) effective ways to increase public awareness of the need for foreign language skills and career paths in all sectors that can employ those skills, with the objective of increasing support for foreign language study among—

- (i) Federal, State, and local leaders;
- (ii) students;
- (iii) parents;
- (iv) elementary, secondary, and postsecondary educational institutions; and
- (v) potential employers;

(E) incentives for related educational programs, including foreign language teacher training;

(F) coordination of cross-sector efforts, including public-private partnerships;

(G) coordination initiatives to develop a strategic posture for language research and recommendations for funding for applied foreign language research into issues of national concern;

(H) assistance for—

- (i) the development of foreign language achievement standards; and
- (ii) corresponding assessments for the elementary, secondary, and postsecondary education levels, including the National Assessment of Educational Progress in foreign languages;

(I) development of—

- (i) language skill-level certification standards;
- (ii) an ideal course of pre-service and professional development study for those who teach foreign language;
- (iii) suggested graduation criteria for foreign language studies and appropriate non-language studies, such as—

- (I) international business;
- (II) national security;
- (III) public administration;
- (IV) health care;
- (V) engineering;
- (VI) law;
- (VII) journalism; and
- (VIII) sciences; and
- (J) identification of and means for replicating best practices at all levels and in all sectors, including best practices from the international community.

(d) MEETINGS.—The Council may hold such meetings, and sit and act at such times and places, as the Council considers appropriate, but shall meet in formal session at least 2 times a year. State and local government agencies and other organizations (such as academic sector institutions, foreign language-related interest groups, business associations, industry, and heritage community organizations) shall be invited, as appropriate, to public meetings of the Council at least once a year.

(e) STAFF.—

(1) IN GENERAL.—The Director may appoint and fix the compensation of such additional



personnel as the Director considers necessary to carry out the duties of the Council.

(2) **DETAILS FROM OTHER AGENCIES.**—Upon request of the Council, the head of any Federal agency may detail, on a reimbursable basis, any of the personnel of such agency to the Council.

(3) **EXPERTS AND CONSULTANTS.**—With the approval of the Council, the Director may procure temporary and intermittent services under section 3109(b) of title 5, United States Code.

(f) **POWERS.**—

(1) **DELEGATION.**—Any member or employee of the Council may, if authorized by the Council, take any action that the Council is authorized to take in this section.

(2) **INFORMATION.**—The Council may secure directly from any Federal agency such information, consistent with Federal privacy laws, the Council considers necessary to carry out its responsibilities. Upon request of the Director, the head of such agency shall furnish such information to the Council.

(3) **DONATIONS.**—The Council may accept, use, and dispose of gifts or donations of services or property.

(4) **MAIL.**—The Council may use the United States mail in the same manner and under the same conditions as other Federal agencies.

(g) **CONFERENCES, NEWSLETTER, AND WEBSITE.**—In carrying out this section, the Council—

(1) may arrange Federal, regional, State, and local conferences for the purpose of developing and coordinating effective programs and activities to improve foreign language education;

(2) may publish a newsletter concerning Federal, State, and local programs that are effectively meeting the foreign language needs of the nation; and

(3) shall create and maintain a website containing information on the Council and its activities, best practices on language education, and other relevant information.

(h) **REPORTS.**—Not later than 90 days after the date of enactment of this section, and annually thereafter, the Council shall prepare and transmit to the President and Congress a report that describes the activities of the Council and the efforts of the Council to improve foreign language education and training and impediments, including any statutory and regulatory restrictions, to the use of each such program.

(i) **ESTABLISHMENT OF A NATIONAL LANGUAGE DIRECTOR.**—

(1) **IN GENERAL.**—There is established a National Language Director who shall be appointed by the President. The National Language Director shall be a nationally recognized individual with credentials and abilities across all of the sectors to be involved with creating and implementing long-term solutions to achieving national foreign language and cultural competency.

(2) **RESPONSIBILITIES.**—The National Language Director shall—

(A) develop and oversee the implementation of a national foreign language strategy across all sectors;

(B) establish formal relationships among the major stakeholders in meeting the needs of the Nation for improved capabilities in foreign languages and cultural understanding, including Federal, State, and local government agencies, academia, industry, labor, and heritage communities; and

(C) coordinate and lead a public information campaign that raises awareness of public and private sector careers requiring foreign language skills and cultural understanding, with the objective of increasing interest in and support for the study of foreign languages among national leaders, the busi-

ness community, local officials, parents, and individuals.

(3) **COMPENSATION.**—The National Language Director shall be paid at a rate of pay payable for a position at level V of the Executive Schedule under section 5316 of title 5, United States Code.

(j) **ENCOURAGEMENT OF STATE INVOLVEMENT.**—

(1) **STATE CONTACT PERSONS.**—The Council shall consult with each State to provide for the designation by each State of an individual to serve as a State contact person for the purpose of receiving and disseminating information and communications received from the Council.

(2) **STATE INTERAGENCY COUNCILS AND LEAD AGENCIES.**—Each State is encouraged to establish a State interagency council on foreign language coordination or designate a lead agency for the State for the purpose of assuming primary responsibility for coordinating and interacting with the Council and State and local government agencies as necessary.

(k) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated such sums as necessary to carry out this section.

**SA 2486.** Mr. WARNER (for Mr. ENSIGN) proposed an amendment to the bill S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of subtitle C of title III, add the following:

**SEC. 330. POINT OF MAINTENANCE/ARSENAL/DEPOT AIT INITIATIVE.**

(a) **ADDITIONAL AMOUNT FOR OPERATION AND MAINTENANCE, ARMY.**—The amount authorized to be appropriated by section 301(1) for operation and maintenance for the Army is hereby increased by \$10,000,000.

(b) **AVAILABILITY OF AMOUNT.**—Of the amount authorized to be appropriated by section 301(1) for operation and maintenance for the Army, as increased by subsection (a), \$16,000,000 may be available for the Point of Maintenance/Arsenal/Depot AIT (AD-AIT) Initiative.

(c) **OFFSET.**—The amount authorized to be appropriated by section 301(4) is hereby reduced by \$10,000,000 to be derived from amounts authorized to be appropriated by that section for the Air Force.

**SA 2487.** Mr. WARNER (for Mr. ENSIGN) proposed an amendment to the bill S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of subtitle C of title III, add the following:

**SEC. 330. LONG ARM HIGH-INTENSITY ARC METAL HALIDE HANDHELD SEARCH-LIGHT.**

(a) **ADDITIONAL AMOUNT FOR OPERATION AND MAINTENANCE, ARMY.**—The amount authorized to be appropriated by section 301(1) for operation and maintenance for the Army is hereby increased by \$4,500,000.

(b) **AVAILABILITY OF AMOUNT.**—Of the amount authorized to be appropriated by section 301(1) for operation and maintenance for the Army, as increased by subsection (a),

\$4,500,000 may be available for the Long Arm High-Intensity Arc Metal Halide Handheld Searchlight.

(c) **OFFSET.**—The amount authorized to be appropriated by section 301(4) is hereby reduced by \$4,500,000, with the amount of the reduction to be derived from amounts authorized to be appropriated by that section for the Air Force.

**SA 2488.** Mr. WARNER (for Mr. COLEMAN) proposed an amendment to the bill S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

On page 92, after line 25, add the following:

**SEC. 538. PROMOTION OF FOREIGN LANGUAGE SKILLS AMONG MEMBERS OF THE RESERVE OFFICERS' TRAINING CORPS.**

(a) **IN GENERAL.**—The Secretary of Defense shall support the acquisition of foreign language skills among cadets and midshipmen in the Reserve Officers' Training Corps, including through the development and implementation of—

(1) incentives for cadets and midshipmen to participate in study of a foreign language, including special emphasis for Arabic, Chinese, and other "strategic languages", as defined by the Secretary of Defense in consultation with other relevant agencies; and

(2) a recruiting strategy to target foreign language speakers, including members of heritage communities, to participate in the Reserve Officers' Training Corps.

(b) **REPORT REQUIRED.**—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the actions taken to carry out this section.

**SA 2489.** Mr. WARNER (for Mr. BINGAMAN (for himself and Mr. DOMENICI) proposed an amendment to the bill S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of subtitle B of title II, add the following:

**SEC. 213. FIELD PROGRAMMABLE GATE ARRAY.**

(a) **ADDITIONAL AMOUNT FOR RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, AIR FORCE.**—The amount authorized to be appropriated by section 201(3) for research, development, test, and evaluation for the Air Force is hereby increased by \$3,000,000.

(b) **AVAILABILITY OF AMOUNT.**—Of the amount authorized to be appropriated by section 201(3) for research, development, test, and evaluation for the Air Force, as increased by subsection (a), \$3,000,000 may be available for Space Technology (PE # 0602601F) for research and development on the reliability of field programmable gate arrays for space applications, including design of an assurance strategy, reference architectures, research and development on reliability and radiation hardening, and outreach to industry and localities to develop core competencies.

(c) **OFFSET.**—The amount authorized to be appropriated by section 301(4) is hereby reduced by \$3,000,000.

**SA 2490.** Mr. WARNER (for Mr. SALAZAR) proposed an amendment to

the bill S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of subtitle C of title III, add the following:

**SEC. \_\_\_\_ . DEPARTMENT OF DEFENSE SUPPORT FOR CERTAIN PARALYMPIC SPORTING EVENTS.**

(a) **PROVISION OF SUPPORT.**—Subsection (c) of section 2564 of title 10, United States Code, is amended by adding at the end the following new paragraphs:

“(4) A sporting event sanctioned by the United States Olympic Committee through the Paralympic Military Program.

“(5) A national or international Paralympic sporting event (other than one covered by paragraph (3) or (4))—

“(A) which is—

“(i) held in the United States or any of its territories or commonwealths;

“(ii) governed by the International Paralympic Committee; and

“(iii) sanctioned by the United States Olympic Committee; and

“(B) for which participation exceeds 100 amateur athletes.”.

(b) **FUNDING AND LIMITATIONS.**—Such section is further amended—

(1) by redesignating subsections (d), (e), and (f) as subsections (e), (f), and (g), respectively; and

(2) by inserting after subsection (c) the following new subsection:

“(d) **FUNDING FOR SUPPORT OF CERTAIN EVENTS.**—(1) Funds to provide support for a sporting event described in paragraph (4) or (5) of subsection (c) shall be derived from the Support for International Sporting Competitions, Defense account established by section 5802 of Public Law 104-208 (110 Stat. 3009-522), notwithstanding any limitation in such section relating to the availability of funds in such account for support of international sporting competitions.

“(2) The total amount that may be expended in any fiscal year to provide support for a sporting event described in paragraph (5) of subsection (c) may not exceed \$1,000,000.”.

**SA 2491.** Mr. WARNER proposed an amendment to the bill S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of subtitle E of title II, add the following:

**SEC. 244. DELAYED EFFECTIVE DATE FOR LIMITATION ON PROCUREMENT OF SYSTEMS NOT GPS-EQUIPPED.**

(a) **DELAYED EFFECTIVE DATE.**—Section 152(b) of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103-160; 107 Stat. 1578), as amended by section 218(e) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105-261; 112 Stat. 1952; 10 U.S.C. 2281 note), is further amended by striking “2005” and inserting “2007”.

(b) **RATIFICATION OF ACTIONS.**—Any obligation or expenditure of funds by the Department of Defense during the period beginning on October 1, 2005, and ending on the date of

the enactment of this Act to modify or procure a Department of Defense aircraft, ship, armored vehicle, or indirect-fire weapon system that is not equipped with a Global Positioning System receiver is hereby ratified.

**SA 2492.** Mr. WARNER (for Mr. KENNEDY (for himself, Ms. COLLINS, Mr. ROBERTS, Mr. SANTORUM, Ms. MIKULSKI, Mr. LIEBERMAN, Mr. ALEXANDER, Mrs. CLINTON, Mrs. DOLE, Ms. SNOWE, Mr. BINGAMAN, Mr. REED, and Mr. SESSIONS)) proposed an amendment to the bill S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of subtitle B of title II, add the following:

**SEC. 213. DEFENSE BASIC RESEARCH PROGRAMS.**

(a) **ARMY PROGRAMS.**—(1) The amount authorized to be appropriated by section 201(1) for research, development, test, and evaluation for the Army is hereby increased by \$10,000,000.

(2) Of the amount authorized to be appropriated by section 201(1) for research, development, test, and evaluation for the Army, as increased by paragraph (1), \$10,000,000 may be available for Program Element 0601103A for University Research Initiatives.

(b) **NAVY PROGRAMS.**—(1) The amount authorized to be appropriated by section 201(2) for research, development, test, and evaluation for the Navy is hereby increased by \$5,000,000.

(2) Of the amount authorized to be appropriated by section 201(2) for research, development, test, and evaluation for the Navy, as increased by paragraph (1), \$5,000,000 may be available for Program Element 0601103N for University Research Initiatives.

(c) **AIR FORCE PROGRAMS.**—(1) The amount authorized to be appropriated by section 201(3) for research, development, test, and evaluation for the Air Force is hereby increased by \$10,000,000.

(2) Of the amount authorized to be appropriated by section 201(3) for research, development, test, and evaluation for the Air Force, as increased by paragraph (1), \$10,000,000 may be available for Program Element 0601103F for University Research Initiatives.

(d) **DEFENSE-WIDE ACTIVITIES.**—(1) The amount authorized to be appropriated by section 201(4) for research, development, test, and evaluation for Defense-wide activities is hereby increased by \$15,000,000.

(2) Of the amount authorized to be appropriated by section 201(4) for research, development, test, and evaluation for Defense-wide activities, as increased by paragraph (1)—

(A) \$10,000,000 may be available for Program Element 0601120D8Z for the SMART National Defense Education Program; and

(B) \$5,000,000 may be available for Program Element 0601101E for the Defense Advanced Research Projects Agency University Research Program in Computer Science and Cybersecurity.

(e) **OFFSETS.**—(1) The amount authorized to be appropriated by section 301(4), operation and maintenance, Navy, is hereby reduced by \$40,000,000.

**SA 2493.** Mr. WARNER proposed an amendment to the bill S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the De-

partment of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

On page 96, strike lines 19 and 20 and insert the following:

“(2) Military legal assistance may be provided only by a judge advocate or a civilian attorney who is a member of the bar of a Federal court or of the highest court of a State.

“(3) In this subsection, the term ‘military legal assistance’ includes—

**SA 2494.** Mr. WARNER (for Mr. BYRD) proposed an amendment to the bill S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of subtitle E of title VI, add the following:

**SEC. 653. EDUCATION LOAN REPAYMENT PROGRAM FOR CHAPLAINS IN THE SELECTED RESERVE.**

(a) **IN GENERAL.**—Chapter 1609 of title 10, United States Code, is amended by adding at the end the following new section:

**“§ 16303. Education loan repayment program: chaplains serving in the Selected Reserve**

“(a) **AUTHORITY TO REPAY EDUCATION LOANS.**—Under regulations prescribed by the Secretary of Defense and subject to the provisions of this section, the Secretary concerned may, for purposes of maintaining adequate numbers of chaplains in the Selected Reserve, repay a loan that—

“(1) was used by a person described in subsection (b) to finance education resulting in a Masters of Divinity degree; and

“(2) was obtained from an accredited theological seminary as listed in the Association of Theological Schools (ATS) handbook.

“(b) **ELIGIBLE PERSONS.**—(1) Except as provided in paragraph (2), a person described in this subsection is a person who—

“(A) satisfies the requirements specified in subsection (c);

“(B) holds, or is fully qualified for, an appointment as a chaplain in a reserve component of an armed force; and

“(C) signs a written agreement to serve not less than three years in the Selected Reserve.

“(2) A person accessioned into the Chaplain Candidate Program is not eligible for the repayment of loans under subsection (a).

“(c) **ACADEMIC AND PROFESSIONAL REQUIREMENTS.**—The requirements specified in this subsection are such requirements for accessioning and commissioning of chaplains as are prescribed by the Secretary concerned in regulations.

“(d) **LOAN REPAYMENT.**—(1) Subject to paragraph (2), the repayment of a loan under this section may consist of payment of the principal, interest, and related expenses of such loan.

“(2) The amount of any repayment of a loan made under this section on behalf of a person may not exceed \$20,000 for each three year period of obligated service that the person agrees to serve in an agreement described in subsection (b)(3). Of such amount, not more than an amount equal to 50 percent of such amount may be paid before the completion by the person of the first year of obligated service pursuant to such agreement. The balance of such amount shall be payable



at such time or times as are prescribed by the Secretary concerned in regulations.

“(e) EFFECT OF FAILURE TO COMPLETE OBLIGATION.—A person on behalf of whom repayment of a loan is made under this section who fails, during the period of obligated service the person agrees to serve in an agreement described in subsection (b)(3), to serve satisfactorily in the Selected Reserve may, at the election of the Secretary concerned, be required to pay the United States an amount equal to any amount of repayments made on behalf of the person in connection with the agreement.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1609 of such title is amended by adding at the end the following new item:

“16303. Education loan repayment program: chaplains serving in the Selected Reserve.”.

**SA 2495.** Mr. WARNER (for Mr. DODD (for himself and Mr. KENNEDY)) submitted an amendment intended to be proposed by Mr. WARNER to the bill S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of subtitle F of title V, add the following:

**SEC. 573. NATIONAL CALL TO SERVICE PROGRAM.**

(a) LIMITATION TO DOMESTIC NATIONAL SERVICE PROGRAMS.—Subsection (c)(3)(D) of section 510 of title 10, United States Code, is amended by striking “in the Peace Corps, Americorps, or another national service program” and inserting “in Americorps or another domestic national service program”.

(b) ADMINISTRATION OF EDUCATION INCENTIVES BY SECRETARY OF VETERANS AFFAIRS.—Paragraph (2) of subsection (h) of such section is amended to read as follows:

“(2)(A) Educational assistance under paragraphs (3) or (4) of subsection (e) shall be provided through the Department of Veterans Affairs under an agreement to be entered into by the Secretary of Defense and the Secretary of Veterans Affairs. The agreements shall include administrative procedures to ensure the prompt and timely transfer of funds from the Secretary concerned to the Secretary of Veterans Affairs for the making of payments under this section.

“(B) Except as otherwise provided in this section, the provisions of sections 503, 511, 3470, 3471, 3474, 3476, 3482(g), 3483, and 3485 of title 38 and the provisions of subchapters I and II of chapter 36 of such title (with the exception of sections 3686(a), 3687, and 3692) shall be applicable to the provision of educational assistance under this chapter. The term ‘eligible veteran’ and the term ‘person’, as used in those provisions, shall be deemed for the purpose of the application of those provisions to this section to refer to a person eligible for educational assistance under paragraph (3) or (4) of subsection (e).”.

**SA 2496.** Mr. WARNER (for Mr. SANTORUM) proposed an amendment to the bill S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of subtitle B of title V, add the following:

**SEC. 522. RECRUITMENT AND ENLISTMENT OF HOME SCHOOLED STUDENTS IN THE ARMED FORCES.**

(a) POLICY ON RECRUITMENT AND ENLISTMENT.—

(1) POLICY REQUIRED.—The Secretary of Defense shall prescribe a policy on the recruitment and enlistment of home schooled students in the Armed Forces.

(2) UNIFORMITY ACROSS THE ARMED FORCES.—The Secretary shall ensure that the policy prescribed under paragraph (1) applies, to the extent practicable, uniformly across the Armed Forces.

(b) ELEMENTS.—The policy under subsection (a) shall include the following:

(1) An identification of a graduate of home schooling for purposes of recruitment and enlistment in the Armed Forces that is in accordance with the requirements described in subsection (c).

(2) Provision for the treatment of graduates of home schooling with no practical limit with regard to enlistment eligibility.

(3) An exemption of graduates of home schooling from the requirement for a secondary school diploma or an equivalent (GED) as a precondition for enlistment in the Armed Forces.

(c) HOME SCHOOL GRADUATES.—In prescribing the policy, the Secretary of Defense shall prescribe a single set of criteria to be utilized by the Armed Forces in determining whether an individual is a graduate of home schooling. The Secretary concerned shall ensure compliance with education credential coding requirements.

(d) SECRETARY CONCERNED DEFINED.—In this section, the term “Secretary concerned” has the meaning given such term in section 101(a)(9) of title 10, United States Code.

**SA 2497.** Mr. WARNER (for Mr. KERRY) proposed an amendment to the bill S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of subtitle B of title II, add the following:

**SEC. 213. PROJECT SHERIFF.**

(a) AVAILABILITY OF AMOUNT.—Of the amount authorized to be appropriated by section 201(4) for research, development, test, and evaluation for Defense-wide activities, the amount available for the Force Transformation Directorate may be increased by \$10,000,000, with the amount of the increase to be available for Project Sheriff.

(b) OFFSET.—Of the amount authorized to be appropriated by section 301(4) is hereby reduced by \$10,000,000.

**SA 2498.** Mr. WARNER (for Mr. LEVIN) proposed an amendment to the bill S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of subtitle B of title II, add the following:

**SEC. 213. MEDIUM TACTICAL VEHICLE MODIFICATIONS.**

(a) ADDITIONAL AMOUNT FOR RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, ARMY.—

The amount authorized to be appropriated by section 201(1) for Research, Development, Test, and Evaluation for the Army, is hereby increased by \$5,000,000.

(b) AVAILABILITY OF AMOUNT.—Of the amount authorized to be appropriated by section 201(1) for Research, Development, Test, and Evaluation for the Army, as increased by subsection (a), \$5,000,000 may be available for Medium Tactical Vehicle Modifications.

(c) OFFSET.—The amount authorized to be appropriated by section 301(4) for Operation and Maintenance for the Air Force is hereby reduced by \$5,000,000.

**SA 2499.** Mr. WARNER proposed an amendment to amendment SA 1396 proposed by Mr. WARNER (for Mr. STEVENS) to the bill S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

On page 2, line 16, strike “\$3,008,982,000” and insert “\$3,108,982,000”.

**SA 2500.** Mr. WARNER proposed an amendment to the bill S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of subtitle E of title VIII, add the following:

**SEC. 846. REPORTS OF ADVISORY PANEL ON LAWS AND REGULATIONS ON ACQUISITION PRACTICES.**

(a) EXTENSION OF FINAL REPORT.—Section 1423(d) of the Services Acquisition Reform Act of 2003 (title XIV of Public Law 108-136; 117 Stat. 1669; 41 U.S.C. 405 note) is amended by striking “one year” and inserting “two years”.

(b) REQUIREMENT FOR INTERIM REPORT.—That section is further amended—

(1) by inserting “(1)” before “Not later than”; and

(2) by adding at the end the following new paragraph:

“(2) Not later than one year after the date of the establishment of the panel, the panel shall submit to the official and committees referred to in paragraph (1) an interim report on the matters set forth in that paragraph.”.

**SA 2501.** Mr. WARNER (for Mr. NELSON of Florida) proposed an amendment to the bill S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the appropriate place, insert the following:

(a) FINDINGS.—

(1) According to the Department of State, drug trafficking organizations shipped approximately nine tons of cocaine to the United States through the Dominican Republic in 2004, and are increasingly using small, high-speed watercraft.

(2) Drug traffickers use the Caribbean corridor to smuggle narcotics to the United States via Puerto Rico and the Dominican Republic. This route is ideal for drug trafficking because of its geographic expanse, numerous law enforcement jurisdictions and fragmented investigative efforts.

(3) The tethered aerostat system in Lajas, Puerto Rico contributes to deterring and detecting smugglers moving illicit drugs into Puerto Rico. The aerostat's range and operational capabilities allow it to provide surveillance coverage of the eastern Caribbean corridor and the strategic waterway between Puerto Rico and the Dominican Republic, known as the Mona Passage.

(4) Including maritime radar on the Lajas aerostat will expand its ability to detect suspicious vessels in the eastern Caribbean corridor.

(b) SENSE OF THE SENATE.—Given the above findings, it is the Sense of the Senate that—

(1) Congress and the Department of Defense fully fund the Counter-Drug Tethered Aerostat program.

(2) Department of Defense install maritime radar on the Lajas, Puerto Rico aerostat.

**SA 2502.** Mr. WARNER (for himself and Mr. LEVIN) proposed an amendment to the bill S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of subtitle E of title II, add the following:

**SEC. 244. DESIGNATION OF FACILITIES AND RESOURCES CONSTITUTING THE MAJOR RANGE AND TEST FACILITY BASE.**

(a) DEPARTMENT OF DEFENSE TEST RESOURCE MANAGEMENT CENTER.—Section 196(h) of title 10, United States Code, is amended by striking "Director of Operational Test and Evaluation" and inserting "Secretary of Defense".

(b) INSTITUTIONAL FUNDING OF TEST AND EVALUATION ACTIVITIES.—Section 232(b)(1) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107-314; 116 Stat. 2490) is amended by striking "Director of Operational Test and Evaluation" and inserting "Secretary of Defense".

**SA 2503.** Mr. WARNER (for Mr. ALLARD (for himself and Mr. SALAZAR)) proposed an amendment to the bill S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

On page 378, between lines 10 and 11, insert the following:

**SEC. 3114. ROCKY FLATS ENVIRONMENTAL TECHNOLOGY SITE.**

(a) DEFINITIONS.—In this section:

(1) ESSENTIAL MINERAL RIGHT.—The term "essential mineral right" means a right to mine sand and gravel at Rocky Flats, as depicted on the map.

(2) FAIR MARKET VALUE.—The term "fair market value" means the value of an essential mineral right, as determined by an appraisal performed by an independent, certified mineral appraiser under the Uniform Standards of Professional Appraisal Practice.

(3) MAP.—The term "map" means the map entitled "Rocky Flats National Wildlife Refuge", dated July 25, 2005, and available for inspection in appropriate offices of the United States Fish and Wildlife Service and the Department of Energy.

(4) NATURAL RESOURCE DAMAGE LIABILITY CLAIM.—The term "natural resource damage liability claim" means a natural resource damage liability claim under subsections (a)(4)(C) and (f) of section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9607) arising from hazardous substances releases at or from Rocky Flats that, as of the date of enactment of this Act, are identified in the administrative record for Rocky Flats required by the National Oil and Hazardous Substances Pollution Contingency Plan prepared under section 105 of that Act (42 U.S.C. 9605).

(5) ROCKY FLATS.—The term "Rocky Flats" means the Department of Energy facility in the State of Colorado known as the "Rocky Flats Environmental Technology Site".

(6) SECRETARY.—The term "Secretary" means the Secretary of Energy.

(7) TRUSTEES.—The term "Trustees" means the Federal and State officials designated as trustees under section 107(f)(2) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9607(f)(2)).

(b) PURCHASE OF ESSENTIAL MINERAL RIGHTS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, such amounts authorized to be appropriated under subsection (c) shall be available to the Secretary to purchase essential mineral rights at Rocky Flats.

(2) CONDITIONS.—The Secretary shall not purchase an essential mineral right under paragraph (1) unless—

(A) the owner of the essential mineral right is a willing seller; and

(B) the Secretary purchases the essential mineral right for an amount that does not exceed fair market value.

(3) LIMITATION.—Only those funds authorized to be appropriated under subsection (c) shall be available for the Secretary to purchase essential mineral rights under paragraph (1).

(4) RELEASE FROM LIABILITY.—Notwithstanding any other law, any natural resource damage liability claim shall be considered to be satisfied by—

(A) the purchase by the Secretary of essential mineral rights under paragraph (1) for consideration in an amount equal to \$10,000,000;

(B) the payment by the Secretary to the Trustees of \$10,000,000; or

(C) the purchase by the Secretary of any portion of the mineral rights under paragraph (1) for—

(i) consideration in an amount less than \$10,000,000; and

(ii) a payment by the Secretary to the Trustees of an amount equal to the difference between—

(I) \$10,000,000; and

(II) the amount paid under clause (i).

(5) USE OF FUNDS.—

(A) IN GENERAL.—Any amounts received under paragraph (4) shall be used by the Trustees for the purposes described in section 107(f)(1) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9607(f)(1)), including—

(i) the purchase of additional mineral rights at Rocky Flats; and

(ii) the development of habitat restoration projects at Rocky Flats.

(B) CONDITION.—Any expenditure of funds under this paragraph shall be made jointly by the Trustees.

(C) ADDITIONAL FUNDS.—The Trustees may use the funds received under paragraph (4) in conjunction with other private and public funds.

(6) EXEMPTION FROM NATIONAL ENVIRONMENTAL POLICY ACT.—Any purchases of mineral rights under this subsection shall be exempt from the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(7) ROCKY FLATS NATIONAL WILDLIFE REFUGE.—

(A) TRANSFER OF MANAGEMENT RESPONSIBILITIES.—The Rocky Flats National Wildlife Refuge Act of 2001 (16 U.S.C. 668dd note; Public Law 107-107) is amended—

(i) in section 3175—

(I) by striking subsections (b) and (f); and

(II) by redesignating subsections (c), (d), and (e) as subsections (b), (c), and (d), respectively; and

(ii) in section 3176(a)(1), by striking "section 3175(d)" and inserting "section 3175(c)".

(B) BOUNDARIES.—Section 3177 of the Rocky Flats National Wildlife Refuge Act of 2001 (16 U.S.C. 668dd note; Public Law 107-107) is amended by striking subsection (c) and inserting the following:

"(c) COMPOSITION.—

"(1) IN GENERAL.—Except as provided in paragraph (2), the refuge shall consist of land within the boundaries of Rocky Flats, as depicted on the map—

"(A) entitled 'Rocky Flats National Wildlife Refuge';

"(B) dated July 25, 2005; and

"(C) available for inspection in the appropriate offices of the United States Fish and Wildlife Service and the Department of Energy.

"(2) EXCLUSIONS.—The refuge does not include—

"(A) any land retained by the Department of Energy for response actions under section 3175(c);

"(B) any land depicted on the map described in paragraph (1) that is subject to 1 or more essential mineral rights described in section 3114(a) of the National Defense Authorization Act for Fiscal Year 2006 over which the Secretary shall retain jurisdiction of the surface estate until the essential mineral rights—

"(i) are purchased under subsection (b) of that Act; or

"(ii) are mined and reclaimed by the mineral rights holders in accordance with requirements established by the State of Colorado; and

"(C) the land depicted on the map described in paragraph (1) on which essential mineral rights are being actively mined as of the date of enactment of the National Defense Authorization Act for Fiscal Year 2006 until—

"(i) the essential mineral rights are purchased; or

"(ii) the surface estate is reclaimed by the mineral rights holder in accordance with requirements established by the State of Colorado.

"(3) ACQUISITION OF ADDITIONAL LAND.—Notwithstanding paragraph (2), upon the purchase of the mineral rights or reclamation of the land depicted on the map described in paragraph (1), the Secretary shall—

"(A) transfer the land to the Secretary of the Interior for inclusion in the refuge; and

"(B) the Secretary of the Interior shall—

"(i) accept the transfer of the land; and

"(ii) manage the land as part of the refuge."

(c) FUNDING.—Of the amounts authorized to be appropriated to the Secretary for the Rocky Flats Environmental Technology Site

for fiscal year 2006, \$10,000,000 may be made available to the Secretary for the purposes described in subsection (b).

**SA 2504.** Mr. WARNER (for Mr. ROBERTS) proposed an amendment to the bill S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of subtitle B of title II, add the following:

**SEC. 213. AGING MILITARY AIRCRAFT FLEET SUPPORT.**

(a) **ADDITIONAL AMOUNT FOR RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR THE AIR FORCE.**—The amount authorized to be appropriated by section 201(3) for research, development, test, and evaluation for the Air Force is hereby increased by \$4,000,000.

(b) **AVAILABILITY OF AMOUNT.**—Of the amount authorized to be appropriated by section 201(3) for research, development, test, and evaluation for the Air Force, as increased by subsection (a), \$4,000,000 may be available for Program Element #63112F for Aging Military Aircraft Fleet Support.

(c) **OFFSET.**—The amount authorized to be appropriated by section 301(4) for operation and maintenance for Air Force activities is hereby reduced by \$4,000,000.

**SA 2505.** Mr. WARNER (for Mr. INOUE) proposed an amendment to the bill S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of subtitle C of title V, add the following:

**SEC. 537. ELIGIBILITY OF UNITED STATES NATIONALS FOR APPOINTMENT TO THE SENIOR RESERVE OFFICERS' TRAINING CORPS.**

(a) **IN GENERAL.**—Section 2107(b)(1) of title 10, United States Code, is amended by inserting "or national" after "citizen".

(b) **ARMY RESERVE OFFICERS TRAINING PROGRAMS.**—Section 2107a(b)(1)(A) of such title is amended by inserting "or national" after "citizen".

(c) **ELIGIBILITY FOR APPOINTMENT AS COMMISSIONED OFFICERS.**—Section 532(f) of such title is amended by inserting "or for a United States national otherwise eligible for appointment as a cadet or midshipman under section 2107(a) of this title or as a cadet under section 2107a of this title," after "for permanent residence".

**SA 2506.** Mr. WARNER (for Mrs. HUTCHISON (for herself, Mr. VOINOVICH, and Mr. NELSON of Florida)) proposed an amendment to the bill S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of subtitle E of title II, add the following:

**SEC. 244. REPORT ON COOPERATION BETWEEN THE DEPARTMENT OF DEFENSE AND THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION ON RESEARCH, DEVELOPMENT, TEST, AND EVALUATION ACTIVITIES.**

(a) **REPORT REQUIRED.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Administrator of the National Aeronautics and Space Administration shall jointly submit to Congress a report setting forth the recommendations of the Secretary and the Administrator regarding cooperative activities between the Department of Defense and the National Aeronautics and Space Administration related to research, development, test, and evaluation on areas of mutual interest to the Department and the Administration.

(b) **AREAS COVERED.**—The areas of mutual interest to the Department of Defense and the National Aeronautics and Space Administration referred to in subsection (a) may include, but not be limited to, areas relating to the following:

- (1) Aeronautics research.
- (2) Facilities, personnel, and support infrastructure.
- (3) Propulsion and power technologies.
- (4) Space access and operations.

**NOTICES OF HEARINGS/MEETINGS**

**SUBCOMMITTEE ON PUBLIC LANDS AND FORESTS**

Mr. CRAIG. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on Public Lands and Forests of the Committee on Energy and Natural Resources.

The hearing will be held on Wednesday, November 16, 2005, at 2 p.m. in Room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on Earth Island Institute vs. Ruthenbeck.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, DC, 20510-6150.

For further information, please contact Frank Gladics at 202-224-2878 or Kristina Rolph at 202-224-8276.

**AUTHORITIES FOR COMMITTEES TO MEET**

**COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY**

Mr. INHOFE. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition and Forestry be authorized to conduct a hearing during the session of the Senate on Wednesday November 9, 2005, at 10:30 a.m. in SH-216, Senate Hart Office Building. The purpose of this committee hearing will be to discuss agricultural transportation and energy issues.

The PRESIDING OFFICER. Without objection, it is so ordered.

**COMMITTEE ON ENERGY AND NATURAL RESOURCES AND COMMITTEE ON COMMERCE SCIENCE AND TRANSPORTATION**

Mr. INHOFE. Mr. President, I ask unanimous consent that the Com-

mittee on Energy and Natural Resources and the Committee on Commerce, Science and Transportation be authorized to meet during the session of the Senate on Wednesday, November 9 at 9:30 a.m. The purpose of this joint hearing is to receive testimony regarding energy pricing and profits.

The PRESIDING OFFICER. Without objection, it is so ordered.

**COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS**

Mr. INHOFE. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to hold a hearing on Wednesday, November 9, 2005 to receive testimony and identify issues regarding a comprehensive and integrated approach to meet the water resources needs of coastal Louisiana in the wake of Hurricanes Katrina and Rita, including storm and flood damage reduction, ecosystem restoration and navigation.

The PRESIDING OFFICER. Without objection, it is so ordered.

**COMMITTEE ON FINANCE**

Mr. INHOFE. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet in open Executive Session during the session on Wednesday, November 9, 2005, at 10 a.m., to review and make recommendations on proposed legislation implementing the U.S.-Bahrain Free Trade Agreement.

The PRESIDING OFFICER. Without objection, it is so ordered.

**COMMITTEE ON FOREIGN RELATIONS**

Mr. INHOFE. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, November 9, 2005, at 9:30 a.m. to hold a hearing on Avian Influenza.

The PRESIDING OFFICER. Without objection, it is so ordered.

**COMMITTEE ON FOREIGN RELATIONS**

Mr. INHOFE. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, November 9, 2005, at 2:30 p.m. to hold a hearing on nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

**COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS**

Mr. INHOFE. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet on Wednesday, November 9, 2005, at 9:30 a.m. for a hearing titled, "'Always Ready': The Coast Guard's Response to Hurricane Katrina."

The PRESIDING OFFICER. Without objection, it is so ordered.

**COMMITTEE ON THE JUDICIARY**

Mr. INHOFE. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on "Cameras in the Courtroom" on Wednesday,